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57381	7590	09/22/2010		
Larson & Anderson, LLC			EXAMINER	
P.O. BOX 4928			PAK, YONG D	
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		1652		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of Substance of Interview including description of the general nature of what was discussed: In response to the After Final amendment filed on September 13, 2010, Examiner proposed allowing claim 30 and amending the phrase "wherein said functionally active variants have the ability to modify malate dehydrogenase activity in a plant" to "wherein said functionally active variants have malate dehydrogenase activity" in claims 30 and 35. However, Ms. Larson disagreed because the polynucleotide of (b) and (c) do not encode malate dehydrogenases. (Examiner notes that because amendment of said phrase could not be agreed upon, amendment of other claims was not discussed). Examiner proposed amending "functionally active variants" with the above proposed amendment to only the polynucleotide of (a) since variants of the polynucleotides of (b) or (c) as currently written in the After Final amendment would warrant new rejections. However, Ms. Larson disagreed. Therefore, Examiner noted that an Advisory Action would be mailed in response to the After Final amendment for recitation of the above "functionally active" variants. Ms. Larson argued that said new limitation would not necessitate a new ground of rejection(s) and would file an Appeal.